

# Morgan Lewis

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November 27, 2019

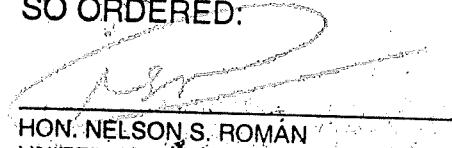
**Via ECF**

The Honorable Nelson S. Román  
United States District Court  
For the Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Defendant granted an extension  
of time until Dec. 18, 2019 to  
respond to the Complaint. Clerk  
of the Court requested to terminate  
the motion (doc. 9).

Dated: Dec. 4, 2019

**SO ORDERED:**

  
HON. NELSON S. ROMÁN  
UNITED STATES DISTRICT JUDGE

**Re: *Dicarlo v. Rite Aid of New York, Inc.*, No. 7:19-cv-6565**  
**Request to Extend Rite Aid's Time to Respond to Complaint**

Dear Judge Román:

We represent defendant Rite Aid of New York, Inc. ("Rite Aid") in the above-referenced action. Pursuant to Rule 1(E) of Your Honor's Individual Practices, we write with the consent of counsel for plaintiff David Dicarlo ("Plaintiff"), respectfully to request that the Court extend Rite Aid's time to respond to the Complaint from November 28, 2019 to December 18, 2020. Pursuant to an agreement between Rite Aid and Plaintiff's counsel before undersigned counsel was engaged in this matter, the parties previously agreed to extend Rite Aid's time from November 1, 2019 to November 28, 2019. No other requests for extension have been sought or granted.

In support of this request, counsel for Rite Aid states that it recently has been engaged in this matter and needs time to become familiar with the relevant facts and allegations. As noted above, Plaintiff's counsel consents to this request. If granted, this extension will not affect any other date scheduled in this action.

We thank the Court in advance for its consideration of this request.

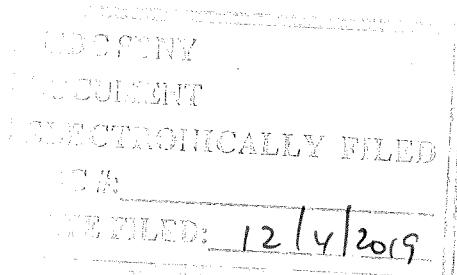
Respectfully submitted,

/s/ Michael F. Fleming

Michael F. Fleming

*Attorney for Rite Aid*

cc: All Counsel of Record (via ECF)



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